

Review Form

Data Report Item 2. Disparity Among Ethnic Categories in Percent of Students Receiving Special Education Services

Item No	Compliance Test	Compliance Standard	Legal Citations	Other Guidance	Compliant	Noncompliant	Not Applicable	Comments
1-1-1	Does the LEA locate and identify all students, 0-21, in need of special education and related services residing in its jurisdiction, including (a) students in private schools, including religious and parochial schools; (b) students who are homeless; and (c) students who are migrant?	The district must maintain evidence that it carries out its policies and procedures.	20 USC 1412 (a)(3)(A)(a)(10)(ii) 34 CFR 300.125(1) and (2), 34 CFR 300.451(a) 30 EC 56301 5 CCR 3023	There is evidence that the district carries out its policies and procedures. This evidence may include logs, correspondence, scheduled meetings with outside agencies, posters, brochures, public awareness activities, etc. In addition, there is evidence that students (including homeless, migrant and private school students) are sought and located. Can staff describe how they identify, locate and evaluate students in private schools? Students that are homeless? Migrant students?				
2-2-2	Is there evidence that the assessment will be comprehensive?		34 CFR 300.532 30 EC 56320 (b), 30 EC 56321 5 CCR 3022					
2-2-2.1	Are assessments are administered in the child's primary language or mode of communication?	If student's primary language on assessment plan or other documentation is other than English, then assessments are conducted in the primary language/mode of communication unless clearly not feasible to do so	20 USC 1414(b)(3)(A)(ii), 20 USC 1412 (a)(6)(b) 34 CFR 300.532 30 EC56320(b)(1)	Look for students LEP status, home language, and dominant language noted on the referral for assessment and on the assessment plan. Look for evidence that tests are administered in languages or mode of communication appropriate for the child.				
2-2-5	Does the assessment include information related to enabling the child to be involved in and progress in the general curriculum?	The student record must contain information that assesses the student's capacity for involvement and progress in the general curriculum.	20 USC 1414(b)(2)(A) 34 CFR 300.532(b)	Check the Assessment Report/teacher report for description examples; review any coordination/involvement of general education in the Assessment Report; review any coordination/involvement of general education on the IEP.				

Review Form

Data Report Item 2. Disparity Among Ethnic Categories in Percent of Students Receiving Special Education Services

Item No	Compliance Test	Compliance Standard	Legal Citations	Other Guidance	Compliant	Noncompliant	Not Applicable	Comments
2-2-5.2	Do assessment procedures ensure that IQ tests are not administered to African-American students?	Student records indicate that an IQ measure was not administered to an African-American student.	Larry P. vs Riles	Review the plan, assessment report and other assessment information. Determine if the Assessment Plan indicated alternative assessments to obtain information about cognitive development. Were the alternative assessments administered as appropriate? Interview staff and parents				
2-2-5.3	Do assessment procedures ensure that materials are used to assess specific areas of educational need and do not only utilize procedures that provide a single IQ score?	Student record documents use of multiple types of measures as indicated	30 EC 56320(c)	Description of assessment materials on the assessment plan and within the assessment report(s). Identification of a variety of sources including standardized tests, teacher report, health and developmental history, medical records, social and cultural background, adaptive behavior. The present level of performance on the IEP reflects the assessments.				

Review Form

Data Report Item 2. Disparity Among Ethnic Categories in Percent of Students Receiving Special Education Services

Item No	Compliance Test	Compliance Standard	Legal Citations	Other Guidance	Compliant	Noncompliant	Not Applicable	Comments
2-3-1	Do assessments result in a written report or reports, which include the findings of each assessment?	Assessment report or other assessment documentation must include discussion of extent to which assessment reflects student's skill and aptitude levels.	34 CFR 300.534 30 EC 56327 5 CCR 3023	Look for written report(s) in the file. The assessment report must include, but not be limited to: (a) whether the student needs special education and related services, (b) the basis for making the determination, (c) the relevant behavior noted during the observation of the student in an appropriate setting, (d) the relationship of that behavior to the student's academic functioning, (e) the educationally relevant health and development, and medical findings, if any, (f) for students with learning disabilities where there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services, (g) a determination of the effects of environmental, cultural, or economic disadvantage, where appropriate, and (h) the need for specialized services, materials, and equipment for students with low incidence disabilities.				
2-3-1.1	Does the written report include results of tests administered in primary language by qualified personnel?	Assessment report must include documentation of language of assessment for children whose primary language is not English.	5 CCR 3023(a)	Look for a statement on the assessment report and on the IEP that addresses how the assessment addressed the student whose primary language is not English.				
2-3-1.2	Does the written report include statement regarding validity of the assessment if the test was administered through an interpreter?	Report must include notation that validity may have been affected if translator is used	20 USC 1414(b)(3)(B)(i) 5 CCR 3023(a)	Look for a statement of validity in the Assessment Report when appropriate. For example, when an interpreter is used or alternative assessments were used.				
2-3-1.3	Does the written report include a description of the extent to which the assessment varied from standard conditions?	Must be included in report	34 CFR 300.532 (c) (2)	The description of tests used and validity of those tests is addressed in the Assessment Report.				

Review Form

Data Report Item 2. Disparity Among Ethnic Categories in Percent of Students Receiving Special Education Services

Item No	Compliance Test	Compliance Standard	Legal Citations	Other Guidance	Compliant	Noncompliant	Not Applicable	Comments
2-3-1.8	Does the written report include determination of the effects of environmental, cultural, or economic disadvantage?	Must be included in report, if applicable	30 EC 56327(g)	Addressed within the assessment report.				
3-5-8	For a student with limited English proficiency (English language learners (ELL)), does the IEP team consider the language needs of the child as such needs relate to the child's IEP and does the IEP include linguistically appropriate goals, objectives, programs and services?	If appropriate, IEP consideration must be evident.	20 USC 1414(d)(3)(B)(ii) 34 CFR 300.346(a)(2)(ii) 30 EC 56345(b)(2)	Look in the assessment report and/or any other documentation that the LEA has assessed the child's language needs. Look in the IEP for a statement that the IEP team has considered the child's language needs. Look for linguistically appropriate goals, objectives, programs, and services.				